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PATENT APPLICATION

ATTORNEY DOCKET NO. 300201988-3

IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Athena CHRISTODOULOU et al.

Confirmation No.: 6465

Application No.: 10/629,571

Examiner: Nguyen, Thuong

Filing Date: 7/30/2003

Group Art Unit: 2155

Title: ESTABLISHMENT OF NETWORK CONNECTIONS

Mail Stop Appeal Brief-Patents
Commissioner For Patents
PO Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL OF APPEAL BRIEF

Transmitted herewith is the Appeal Brief in this application with respect to the Notice of Appeal filed on August 21, 2007.

The fee for filing this Appeal Brief is (37 CFR 1.17(c)) \$510.00.

(complete (a) or (b) as applicable)

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136(a) apply.

☐ (a) Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17(a)-(d)) for the total number of months checked below:

☐ 1st Month
\$120

☐ 2nd Month
\$450

☐ 3rd Month
\$1020

☐ 4th Month
\$1590

☐ The extension fee has already been filed in this application.

☒ (b) Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

Please charge to Deposit Account 08-2025 the sum of \$510.00. At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees. A duplicate copy of this sheet is enclosed.

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Respectfully submitted,

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Docket No. 300201988-3

(F&L Docket No. 084061/0475)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Applicant: Athena CHRISTODOULOU et al.
Title: ESTABLISHMENT OF NETWORK CONNECTIONS
Appl. No.: 10/629,571
Filing Date: 07/30/2003
Examiner: Nguyen, Thuong
Art Unit: 2155
Confirmation No.: 6465

APPEAL BRIEF UNDER 37 C.F.R. § 41.37

Mail Stop APPEAL BRIEF - PATENTS

Commissioner for Patents

PO Box 1450

Alexandria, Virginia 22313-1450

Sir:

The following is the Appellants Appeal Brief under the provisions of 37 C.F.R. 41.37.

1. Real Party in Interest

The real party in interest is Hewlett-Packard Development Company, LP, a limited partnership established under the laws of the State of Texas and having a principal place of business at 20555 S.H. 249 Houston, TX 77070, U.S.A. (hereinafter "HPDC"). HPDC is a Texas limited partnership and is a wholly-owned affiliate of Hewlett-Packard Company, a Delaware Corporation, headquartered in Palo Alto, CA. The general or managing partner of HPDC is HPQ Holdings, LLC.

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2. Evidence Appendix

There are no related evidence that will directly affect, be directly affected by or have a bearing on the present appeal, that are known to appellant, the assignee, or the appellant's patent representative. The Evidence Appendix (Section 10), attached hereto, states "None".

3. Related Appeals and Interferences

There are no related appeals or interferences that will directly affect, be directly affected by or have a bearing on the present appeal, that are known to the Appellants, the Assignee, or the Appellants' patent representative. The Related Proceedings Appendix (Section 11), attached hereto, states "None".

4. Status of Claims

The present appeal is directed to claims 1-24. A copy of the presently pending claims under rejection are attached herein in the Claims Appendix (Section 12).

Claims 1-24 are finally rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,751,777 to Bates in view of U.S. Patent Publication No. 2003/0028599 to Kolsky. Claims 1, 11, 21 and 22 were rejected under 35 U.S.C. § 112, 2nd Paragraph, as being indefinite, whereby those claims were amended in the "entered" after-final reply to overcome this rejection. Also, claim 10 was objected to in the final Office Action because "the phrase 'greatest' renders the claim indefinite because it is unclear whether the limitation(s) following the phrase are part of the claimed invention", whereby it is believed that the arguments provided in the "entered" after-final reply have overcome this objection.

5. Status of Amendments

No amendments are being filed concurrently with this Appeal Brief.

6. Summary of the Invention

The present invention is directed to a web-based system and method.

In more detail, an alias of a URL is displayed by a client's browser to show the identity, so to speak, of a page a user is trying to get to. In some instances, this ends up being a different URL to the one the user was intending to get to. An example of this might be if

one was to type in <http://www.yahoo.co.uk>, and end up at <http://uk.yahoo.com/> - which is not the URL the user asked for, strictly speaking. In the present invention, users are diverted to a different URL just as yahoo might do as described above; and so, overall, users get served their pages quicker. The difference with the yahoo example above and the present invention is that the present invention is provided so as not to allow the users to SEE the different URL that the user is actually taken to, because that might allow the user to try to get to that URL in the future rather than a possibly different one the web operators may want them to go to, thus possibly interfering with load balancing. So, in the present invention, by analogy to the yahoo example given above, although the user might be sent to a second URL (<http://uk.yahoo.com/>), the browser would continue to display the first URL (<http://www.yahoo.co.uk>), and the user would never know the difference (and that he/she has been diverted).

Independent claim 1 recites:

A method of providing a sub-page of a website to a requesting client comprising the steps of:

sending to the client, with a copy of a first web page, a link which points to an address of a server on which a copy of the sub-page is hosted;

actuating the link; and

displaying, at the client by way of a browser, an alias for the address of the server on which the copy of the sub-page is hosted,

wherein the alias is an address of a web page which is served to the client, and

wherein the alias is displayed by the browser.

Support for the “sending” step in claim 1 may be found on page 5, lines 4-10 of the specification, and in Figure 2 of the drawings.

Support for the “actuating” step in claim 1 may be found on page 5, lines 16-18 and page 6, lines 12-14 of the specification.

Support for the “displaying” step in claim 1 may be found on page 6, line 17 to page 7, line 12 of the specification.

Support for the first “wherein” clause in claim 1 may be found on page 7, line 14 to page 8, line 2 of the specification.

Support for the second “wherein” clause in claim 1 may be found on page 6, line 17 to page 7, line 12 of the specification.

Independent claim 11 recites:

A method of operating a web server to provide a sub-page of a website to a requesting client, comprising the steps of:

receiving, from a client via a browser, a request for a first web page hosted on the server;

sending to the client, with the first page, a link which points to an address within the Internet of a further server hosting a copy of the sub-page; and

sending with the first web page instructions which are executable upon actuation of the link to cause a browser program to display an alias of the address of the further server,

wherein the alias of the address of the further server is different from the address of further server,

wherein the alias is an address of the further server which is served to the client, and

wherein the alias is displayed by the browser.

Support for the “receiving” step in claim 11 may be found on page 5, lines 4-7 of the specification.

Support for the first “sending” step in claim 11 may be found on page 5, lines 4-10 and page 6, lines 19-22 of the specification, and in Figure 2 of the drawings.

Support for the second “sending” step in claim 11 may be found on page 6, line 17 to page 7, line 12 of the specification.

Support for the first “wherein” clause in claim 11 may be found on page 7, line 34 to page 8, line 2 of the specification.

Support for the second “wherein” clause in claim 11 may be found page 7, line 14 to page 8, line 2 of the specification.

Support for the third “wherein” clause in claim 11 may be found on page 6, line 17 to page 7, line 12 of the specification.

Independent claim 21 recites:

A web server adapted to respond to a request from a client via a browser by sending to the client a copy of a first web page and to include with the first web page a plurality of links each of which points to a different predetermined address within the Internet, each predetermined address being an address of a further server, the web server being adapted to send with the first web page and in response to said request, instructions executable, upon actuation of one of the plurality of links, to instruct a browser program in the client to display an alias of the predetermined address, wherein the alias of each of the predetermined addresses is the same, and wherein the alias is different from any of the predetermined addresses, wherein the alias is an address of a web page of the further server which is served to the client, and wherein the alias is displayed by the browser.

Support for “*sending to the client a copy of a first web page and to include with the first web page a plurality of links each of which points to a different predetermined address within the Internet*” features in claim 21 may be found in Figure 2, which shows links represented by icons 102, 104 provided on a first web page. These features are also described on page 5, lines 12-26 of the specification.

Support for “*each predetermined address being an address of a further server*” feature of claim 21 may be found on page 6, line 31 to page 7, line 2 of the specification.

Support for “*the web server being adapted to send with the first web page and in response to said request, instructions executable, upon actuation of one of the plurality of links, to instruct a browser program in the client to display an alias of the predetermined address*” features in claim 21 may be found on page 5, lines 14-18, page 6, lines 12-17, and page 8, lines 32-35 of the specification.

Support for the “*wherein the alias of each of the predetermined addresses is the same, and wherein the alias is different from any of the predetermined addresses, wherein the alias is an address of a web page of the further server which is served to the client, and wherein the alias is displayed by the browser*” features of claim 21 may be found on page 6, lines 15-32, and page 8, lines 17-30 of the specification.

Independent claim 22 recites:

*A method of obtaining a sub-page from a website comprising the steps of:
requesting from a web server a copy of a first web page;
actuating a link on the first web page which points to an address within the Internet of a further server hosting a copy of the sub-page; and
actuating code associated with the link to cause a browser program to display an alias of the address of the further server, wherein the alias corresponds to a first URL that is different from a second URL corresponding to the address of the further server on which the copy of the sub-page is hosted, wherein the alias is an address of a web page of the further server which is served to the client, and wherein the alias is displayed by a browser.*

Support for the “requesting” step of claim 22 may be found on page 5, lines 4-7 of the specification.

Support for the first “actuating” step of claim 22 may be found on page 5, lines 16-18, page 6, lines 12-14, and page 7, lines 28- 31 of the specification.

Support for the second “actuating” step of claim 22 may be found on page 6, line 17 to page 7, line 12 of the specification.

Support for the first “wherein” clause in claim 22 may be found on page 7, line 34 to page 8, line 2 of the specification.

Support for the second “wherein” clause in claim 22 may be found page 7, line 14 to page 8, line 2 of the specification.

Support for the third “wherein” clause in claim 22 may be found on page 6, line 17 to page 7, line 12 of the specification.

7. Issues

The issues on appeal are: (1) whether the examiner erred in rejecting claims 1-24 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,751,777 to Bates in view of U.S. Patent Publication No. 2003/0028599 to Kolsky; (2) whether the examiner erred in rejecting claims 11, 21 and 22 under 35 U.S.C. § 112, 2nd paragraph, as being indefinite; (3) whether the objection of claim 10 has been overcome.

8. Argument

I. It is respectfully submitted that the final rejection of claims 1-24 under 35 U.S.C. § 103(a) as being unpatentable over Bates and Kolsky is erroneous for at least the following reasons.

a. Independent Claims 1, 11, 21 and 22:

Turning now to the specific features recited in the presently pending claims, claim 1 recites a step of sending to a client a copy of a page that contains a link to a sub-page, and claim 1 also recites a step of actuating the link to the sub page. Bates et al. is directed to actuation of bookmarks in conjunction with multi-target links, whereby the bookmarks are described as ‘aliases’ for the actual targets of the links. Thus, in Bates et al., the link that is on the web page sent to the client is not the link that is actuated; rather, it is some other link. Accordingly, Bates et al. does not teach or suggest “actuating the link” (whereby the link in question is the one that was sent to the client with a copy of a first web page).

In Bates, the term “alias” is used to describe an alternative wording to use for a particular favorite web site to be visited by a user. Thus, a user interested in stocks may have a bookmark entitled “Stock Market”, such as shown in Figure 23 of Bates. Bates also teaches that the bookmark entries may be multi-valued, such that more than one URL may be associated with any particular bookmark entry. For example, Bates describes that when a user selects “Stock Market”, there are two separate URLs associated with that bookmark entry, whereby either information from a “Market Update” URL or information from a “Market Summary” URL are displayed on the user’s computer, based on a time of day (e.g., whether or not the market is currently in session). In either case, the user’s display does not display an alias of either the “Market Update” URL or the “Market Summary” URL; rather, the user is provided with the actual URL from which web page information is to be provided to the user’s computer (and whereby the actual URL is displayed on the user’s computer display).

There appears to be a misunderstanding by the PTO of Bates’ use of the term “alias” and how it is to be interpreted in the presently claimed invention. In more detail, the alias

that is being displayed at the browser in the presently claimed invention is not related at all to a bookmark, such as described by Bates, but rather the “alias” according to the presently claimed invention is directed to the address that the user has been directed to (whereas a ‘bookmark’ is an ‘alias’ of the address that the user is intending to get to).

Also, the fact that a user can select an “alias” term, such as “search engine”, for a URL address corresponding to www.google.com, whereby the term “search engine will appear on the user’s list of bookmarks on his/her display, does not mean that when the user selects “search engine” on his/her list of bookmarks, an alias for the URL address will appear on the user’s URL address portion on his/her display. Rather, the correct URL address, that being www.google.com, will appear on the user’s display. This is clearly in contrast to the present invention. In Bates’ multi-valued target feature, if the user selects “Search Engine” on his/her list of bookmarks, and whereby one of the multi-valued targets for this bookmark is www.google.com and another of the multi-valued targets for this bookmark is www.hotbot.com, the actual URL address of whichever of these two targets is chosen will be displayed on the user’s display, which is in total contrast to the claimed invention, in which an alias (e.g., “www.searchengine.com” or something to that effect) is displayed on the user’s display.

Turning now to the specific features recited in the presently pending claims, claim 1 recites a step of sending to a client a copy of a page that contains a link to a sub-page, and claim 1 also recites a step of actuating the link to the sub page. Bates et al. is directed to actuation of bookmarks in conjunction with multi-target links, whereby the bookmarks are described as ‘aliases’ for the actual targets of the links. Thus, in Bates et al., the link that is on the page sent to the client is not the link that is actuated by the client; rather, it is some other link. Accordingly, Bates et al. does not teach or suggest “actuating the link” (whereby the link in question is the one that was sent to the client with a copy of a first web page).

The Advisory Action asserts that Bates’ multi-target link describes a method of activating links by clicking on the hypertext link. In Bates, when the user clicks on a multi-target link, a highest-priority target URL of the multi-targets is presumably shown on the user’s URL address portion of his/her browser, and information from that highest-priority

target URL is provided on the user's display. If for some reason that highest-priority target URL cannot be accessed (or if it is very slow, for example), then the next highest-priority target URL of the multi-targets is presumably shown on the user's URL address portion of his/her browser, and information from that next-highest priority target URL is provided on the user's display. Thus, in neither case is an 'alias' of the URL from which information is obtained (to then be displayed on the user's computer display) displayed at the client in the system of Bates. Rather, the actual URL is displayed at the client in the system of Bates.

Turning now to the secondary reference, Kolsky, that reference refers to 'aliases', but in the context of introduction of another layer in a network protocol stack, that being an aliasing layer. The aliasing layer is provided between the application layer and the user. See paragraph 0042 of Kolsky. The purpose of the aliasing layer is to overcome the problem of a user's identity being mapped to the application layer of the networking protocol, with the result that, if a user is not using a particular application, then no connection is possible with the user. See paragraph 0008 of Kolsky. Kolsky overcomes this problem by inserting an aliasing layer (implemented via an alias switch) between the user and the application layer, whereby the aliasing layer simply provides a layer of indirection.

As is clear from the above description of Kolsky, Kolsky has nothing at all to do with web pages served to a client and displaying an alias of an address of a web page which is served to the client; rather, Kolsky is directed to aliasing in general, and has no particular relevance to the claimed invention. Also, in the system of Kolsky, a first entity attempting to send a message to a second entity must enter the alias of the second entity, whereby that alias is transformed to a message format that the second entity can read. See, for example, paragraph 0045 of Kolsky (user enters alias "12345"). Thus, there is no alias being served to the client in the system of Kolsky, but rather the client provides the alias along with a request to output information to another entity, whereby the entity is to be resolved by another device (e.g., alias switch).

Furthermore, it is unclear how the teachings of Kolsky, which are directed to an additional aliasing protocol layer, can be combined with the teachings of Bates, which are directed to bookmarks for a user's favorite web pages.

It is noted that the final Office Action asserts that paragraph 0051 of Kolsky for allegedly teaching certain features of claim 1, but this assertion is incorrect. Namely, paragraph 0051 of Kolsky merely describes that in the case of a web address, the alias switch can open an HTTP connection with entity B's HTTP server and act as an HTTP proxy towards entity A or it may send entity A's web browser a redirect message with the URL that the alias id was resolved to. In other words, this paragraph of Kolsky describes that the alias switch operating on behalf of entity A can do one of two things. Either it can connect with entity B's HTTP server, whereby it will effectively be behaving as a proxy for entity A, or it can return to entity A 'redirect' message containing the URL that the alias identity of entity B actually resolves to. In the first case, Kolsky's alias switch is not displaying anything, and in the second case, Kolsky's alias switch is not displaying the actual URL that the alias identity of entity B resolves to.

Thus, in either the first case or the second case of Kolsky as described in paragraph 0051 of that reference, an alias of an address of a web page which is to server the client is not displayed by a user's browser. It is noted that the final Office Action asserts that Figure 23, column 1, lines 54-60, and column 9, lines 25-68 of Bates teaches the displaying at the client of an alias for the address of the server on which a copy of a sub-page is hosted. This assertion is incorrect. Namely, Figure 23 of Bates merely shows a bookmark list containing favorite web sites of a user, whereby no item in the bookmark list corresponds to an alias of an address of a web page to be displayed, rather, each item corresponds to a name that the user can easily refer to in deciding what type of favorite web page to browse (e.g., "sports information"; "stock market"; "weather"). Column 1, lines 54-60 of Bates merely describes that Bates' use of "alias" in his patent application clearly refers to "shortcuts" or "favorites", thereby providing a clear indication that his use of the word "alias" is much different from that use of that word in the presently claimed invention. Column 9, lines 25-68 of Bates describes multi-target links, and whereby a user can select a bookmark item by clicking on that item on his/her display, and whereby a pop-up window may be displayed adjacent to a pointer that indicates the type and list of URL's for a link associated with hyperlink text or bookmark. This has nothing at all to do with an alias of an address of a web page to be displayed.

Since Bates does not teach or suggest these features, as acknowledged in the final Office Action due to the addition of Kolsky in the rejection of each of the independent claims, each of the independent claims is patentable over the combined teachings of Bates and Kolsky.

Note also that each of the presently pending independent claims recites that the alias is an address of a web page which is served to the client, whereby the alias is an address of a web page sent in response to a request for a web page made by the client. Clearly, Bates does not do that in his alias bookmarking scheme, since no request for a web page has as yet been made by a client at the time when the alias bookmarks are provided on the user's display. "). Also, there is no alias being served to the client in the system of Kolsky, but rather the client provides the alias along with a request to output information to another entity, whereby the entity is to be resolved by another device (e.g., alias switch).

Therefore, for the reasons given above, independent claims 1, 11, 21 and 22 are patentable over the combined teachings of Bates and Kolsky.

b. Dependent claim 3:

Still further, with respect to dependent claim 3, that claim recites that the alias is an address of a server which is adapted to translate the alias into an address of a server on which a copy of the sub-page is hosted. In its rejection of claim 3, the final Office Action asserts that column 7, lines 25-35 of Bates teaches these features. Appellants respectfully disagree. Namely, column 7, lines 25-35 of Bates describes multi-target links to navigate to one or more of a plurality of available 'targets' in response to input received from a user, whereby each target is typically identified by its storage location (e.g., URL), filename, path, and/or other manner of addressing a document in a computer system. As further described in column 7, lines 36-45 of Bates, multi-target links identify a plurality of URLs representing the targets thereof, with at least some of the documents stored at the URLs being formatted using HTML protocol.

The above-described portions of Bates are not related at all to an alias corresponding to an address of a server which is adapted to translate the alias into an address of a server in which a copy of a sub-page is hosted. Rather, Bates provides for multiple targets to be

selected based on a single input by a user, in which no “alias” that corresponds to “an address of a server in which a copy of a sub-page is hosted” is taught or suggested by Bates.

In the Response to Arguments section provided on page 17 of the final Office Action, it asserts that column 7, lines 25-35 of Bates “discloses that the method of navigate to one or more of a plurality of available targets which identified by its storage location URL or filename, path or other manners of addressing a document”, and that “Bates discloses that the method of displaying the alias name for the particular link other than the address of the server”.

In reply, the generalized comments made in column 7, lines 25-35 of Bates regarding “multi-target links” fall well short of the specific features recited in claim 3, in which the alias is an address of a server that translates the alias into an address of a server on which a copy of the sub-page is hosted. This use of an “alias server” as recited in claim 3 is not taught or suggested by the general statements made in column 7, lines 25-35 of Bates.

Accordingly, since Bates does not teach or suggest the features recited in claim 3, and since Kolsky does not rectify the above-mentioned shortcomings of Bates, that claim is patentable over the cited art of record.

c. Dependent claims 5 and 14:

Still further, with respect to dependent claims 5 and 14, the final Office Action incorrectly asserts that Figures 6 and 11 and column 10, lines 1-24, column 10, lines 48-50 and column 11, lines 43-54 of Bates describe the features of claims 5 and 14. Appellants respectfully disagree. Namely, Figures 6 and 11 of Bates describe a method in which each URL is actuated in sequence, in order to obtain a document at each URL, whereby there is no teaching or suggestion that a determination is made as to whether actuation of a first link has been successful on the basis of a predetermined criterion, and if the determination is that the actuation of the first link was not successful, to then perform actuation of another link. Rather, in Figures 6 and 11 of Bates, each URL is obtained in sequence, which is totally contrary to the features recited in claim 5, whereby the steps (a) and (b) are repeated until either all links have been actuated or actuation of a link according to the predetermined criterion was successful.

Column 10, lines 1-24 of Bates describes navigating a link routine by calling a plurality of subroutines based on a particular type of link activated by a user, whereby, once a link has been selected, decision blocks detect a specific link type and pass control to a dedicated handling routine. Column 10, lines 48-50 of Bates describes that other types of multi-target links may be supported in other implementations. Column 11, lines 43-54 of Bates describes a method which determines whether a document has been successfully retrieved, and if not, to determine whether additional URLs remain to be processed in the link. Thus, if a document has not been successfully retrieved, the method of Bates merely moves on to the next document to be retrieved, without trying to retrieve the unsuccessfully-retrieved document from a different URL.

On page 17 of the final Office Action, in the Response to Arguments section, its asserts that Appellants were arguing unclaimed limitations. However, the features in which a determination is made as to whether actuation of a first link has been successful on the basis of a predetermined criterion, and if the determination is that the actuation of the first link was not successful, to then perform actuation of another link, is not taught or suggested by Bates.

Accordingly, since Bates does not teach or suggest the features recited in claims 5 and 14, and since Kolsky does not rectify the above-mentioned shortcomings of Bates, these claims are patentable over the cited art of record.

d. Dependent claim 7:

With respect to dependent claim 7, that claim recites that the predetermined criterion is whether, within a predetermined period of time, a predetermined step in a process of establishing connection with a server has been reached. This “server connection time-out” feature is asserted in the final Office Action to be described in column 14, lines 8-15 of Bates; Appellants respectfully disagree. Namely, column 14, lines 8-15 of Bates merely describes that a chronological link routine that uses chronological criteria that define when in time a particular document should be retrieved in response to selection of the link, whereby the time may correspond to a particular time of day, or when a particular document was updated. This disclosure in Bates has nothing at all to do with determining whether a connection has been established with a server within a predetermined period of time, as recited in claim 5. Rather,

it deals with a time sequence for obtaining document information from various links, without any description of establishment of link connections within a predetermine time period.

In the Response to Arguments section on pages 17 and 18 of the final Office Action, it also refers to the “call ping time” as disclosed in column 11, line 60 to column 12, line 55, as well as in Figures 7 and 8 of Bates, for allegedly teaching the features recited in claim 7. However, the ping thread of Bates merely is used to test various targets specified by a given hypertext document currently displayed by a user, whereby a URL is either kept on a list or removed from a list based on whether or not a document has been successfully retrieved. See column 12, lines 44-55 of Bates in particular. This portion of Bates has nothing at all to do with determining whether a connection with a server has been reached within a predetermined period of time.

Accordingly, since Bates does not teach or suggest the features recited in claim 7, and since Kolsky does not rectify the above-mentioned shortcomings of Bates, that claim is patentable over the cited art of record.

e. Dependent claims 10 and 20:

Still further, with respect to dependent claims 10 and 20, those claims recite that the predetermined criterion is the greatest progress in establishing full connection with one of the servers after a specified interval of time following simultaneous actuation of all links. The final Office Action incorrectly asserts that column 6, lines 15-50 of Bates describes these features. Namely, column 6, lines 15-50 of Bates describes general features of a computer, and does not come close to describing the specific features of checking which of a plurality of fully-established links has the greatest progress, whereby all of the lower-progressed links are terminated (see those features in intervening claim 9).

In the Response to Arguments section on page 18 of the final Office Action, it basically states that Bates discloses the features recited in claim 10 because of the indefinite language used in that claim. However, as discussed below, claim 10 is not indefinite, and Bates certainly does not teach the specific features recited in claim 10.

Accordingly, since Bates does not teach or suggest the features recited in claims 10 and 20, and since Kolsky does not rectify the above-mentioned shortcomings of Bates, those claims are patentable over the cited art of record.

f. Dependent claim 12:

With respect to dependent claim 12, that claim recites that a plurality of links are sent to the client with the first page, each pointing to a different predetermined address within the Internet, each predetermined address being an address of a further server hosting a copy of the sub-page, and the instructions are executable upon actuation of each link. In its rejection of claim 12, the Office Action incorrectly asserts that column 23, lines 1-20 of Bates describes the features recited in that claim. Namely, column 23, lines 1-20 of Bates describes features of Figure 23, in which relative lengths of regions are sized to indicate the percentage of the targets for the multi-target link from which data has been previously accessed. Thus, in Figure 23 of Bates, about ¼ of the data has been previously accessed. There is not description in this portion of Bates as to a plurality of links each pointing to a different predetermined address within the Internet, each predetermined address being an address of a further server hosting a copy of the sub-page, as recited in claim 12. Rather, at best, only one link that is requested by a user is displayed in the display of Bates, whereby a work-in-progress icon 632 is provided on the display.

Accordingly, since Bates does not teach or suggest the features recited in claim 12, and since Kolsky does not rectify the above-mentioned shortcomings of Bates, that claim is patentable over the cited art of record.

g. Dependent claim 13:

With respect to dependent claim 13, which recites that the alias is an address of a server adapted to translate the alias to an address of one of the further servers, the final Office Action incorrectly asserts that column 7, lines 25-35 of Bates describes these features. Rather, column 7, lines 25-35 of Bates merely describes that multi-target links are utilized to navigate one or more “targets” in response to input received from a user, whereby each target is identified by URL, filename, path, and/or other manner of addressing a document in a computer system. There is no description in this portion of Bates as to an alias being an

address of a server that is adapted to translate an address of one of further servers, as recited in claim 13.

Accordingly, since Bates does not teach or suggest the features recited in claim 13, and since Kolsky does not rectify the above-mentioned shortcomings of Bates, that claim is patentable over the cited art of record.

h. Dependent claim 23:

With respect to dependent claim 23, that claim recites displaying, based on a random selection, which of the plurality of links is to be actuated when the link on the first web page is selected by a user at the client. The final Office Action incorrectly asserts that these features are shown in Figure 23 of Bates. Rather, Figure 23 of Bates shows a browser display in which a pull-down menu allows a user to edit a bookmark or add a bookmark, and whereby there is no description of a random selection of links to be actuated when a link on a first web page is selected by a user. Rather, in Bates, a user selects a bookmarked URL, and the browser goes to the selected URL, whereby there is no random selection of links in such a system of Bates.

The Response to Arguments section on page 20 of the final Office Action also refers to column 22, line 10 to column 23, line 40 of Bates for allegedly teaching the features recited in claim 23, but this assertion is incorrect. Rather, column 22 of Bates describes a bookmark list with a pointer that can be disposed over a bookmark, and whereby a user can position the pointer over a desired URL and depress a mouse button. Column 23 of Bates describes that alternate manners of displaying relative percentage of targets visited can be used besides using the bars as shown in Figure 22 of Bates. It is clear that neither column 22 nor column 23 of Bates teaches or suggests the specific features recited in claim 23. In more detail, nothing concerning “displaying based on random selection” is taught or suggested in columns 22 and 23 of Bates.

Accordingly, since Bates does not teach or suggest the features recited in claim 23, and since Kolsky does not rectify the above-mentioned shortcomings of Bates, that claim is patentable over the cited art of record.

i. Dependent claim 24:

Finally, with respect to dependent claim 24, that claim recites features in which a second client is provided with a second alias for the address of the another server on which the copy of the sub-page is hosted, in which the second alias of the another server is the same as the alias of the server, and in which the address of the another server is different from the address of the server. The final Office Action incorrectly asserts that Figure 6, column 5, lines 54-66, column 6, lines 15-50, column 7, lines 25-67, column 8, lines 61-67, and column 13, lines 5-41 of Bates describe these features. Namely, Bates describes the concept of a “multi-target link”, which is not at all related to displaying different aliases for a same address for different clients.

Accordingly, since Bates does not teach or suggest the features recited in claim 24, and since Kolsky does not rectify the above-mentioned shortcomings of Bates, that claim is patentable over the cited art of record

II. It is respectfully submitted that the rejection of claims 11, 21 and 22 under 35 U.S.C. § 112, 2nd Paragraph, as being indefinite, has been overcome by way of the amendments made in the “entered” after-final reply.

In the final Office Action, it asserted that it was unclear how the alias is automatically displayed by the browser without the user input? After the user selected and actuate the link?” In reply, the intent of the allegedly indefinite phrase in claims 1, 11, 21 and 22 was that the actual providing of the alias on the display by the browser is done without the user doing anything to cause the transformation of one URL to another (“alias”) URL. Of course the user’s actuation of an icon on a web page causes the browser to go to another web page, whereby an alias of that sub-page is displayed, but the creation of the alias address of the other web page from a “real address” is what is done without user interaction.

In the interest of expediting prosecution, however, claims 1, 11, 21 and 22 were amended in the “now entered” after-final reply to modify the allegedly indefinite phrase to recite “wherein the alias is displayed by the browser”, whereby presently pending claims 1, 11, 21 and 22 fully comply with 35 U.S.C. § 112, 2nd Paragraph.

III. It is respectfully submitted that the objection of claim 10 has been overcome.

In the final Office Action, claim 10 was objected to because “the phrase ‘greatest’ renders the claim indefinite because it is unclear whether the limitation(s) following the phrase are part of the claimed invention.” Appellants respectfully disagree with this objection. Namely, the word “greatest” is used to define the claimed “predetermined criterion”, whereby the predetermined criterion is the greatest progress in establishing full connection with one of the servers after a specified interval of time following simultaneous actuation of all links. For example, assume that three links are simultaneously actuated, Link 1, Link 2, and Link 3. Now, after 10 seconds, which would in this example correspond to the specified interval of time following the time when the three links were simultaneously actuated, Link 1 is 50% progressed to full connection status, Link 2 is 30% progressed to full connection status, and Link 3 is 40% progressed to full connection status. Thus, in this example, Link 1 is the link that has the greatest progress (e.g., 50% > 40% > 30%) in establishing full connection with one of the servers after a specified interval of time following simultaneous actuation of all links.

As the features recited in claim 10 are clear to one skilled in the art, based on a reading of the specification, it is respectfully submitted that claim 10 is unobjectionable.

9. Conclusion

In view of above, Appellants respectfully solicit the Honorable Board of Patent Appeals and Interferences to reverse the rejections of the pending claims and pass this application on to allowance.

Respectfully submitted,

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10. **EVIDENCE APPENDIX**

None

11. RELATED PROCEEDINGS APPENDIX

None

12. CLAIMS APPENDIX

LIST OF THE CLAIMS ON APPEAL (WITH STATUS IDENTIFIERS)

1. (Previously Presented) A method of providing a sub-page of a website to a requesting client comprising the steps of:

sending to the client, with a copy of a first web page, a link which points to an address of a server on which a copy of the sub-page is hosted;

actuating the link; and

displaying, at the client by way of a browser, an alias for the address of the server on which the copy of the sub-page is hosted,

wherein the alias is an address of a web page which is served to the client, and

wherein the alias is displayed by the browser.

2. (Previously Presented) A method according to claim 1 wherein a plurality of links are provided, each pointing to a different address, and each different address being an address of a different server on which a copy of the sub-page is hosted.

3. (Original) A method according to claim 1, wherein the alias is an address of a server which is adapted to translate the alias into an address of a server on which a copy of the sub-page is hosted.

4. (Previously Presented) A method according to claim 1 wherein the alias is displayed on a graphical user interface of a program running on the client which is adapted to enable user navigation of the Internet, and wherein the alias corresponds to a first URL that is different from a second URL corresponding to the address of the server on which the copy of the sub-page is hosted.

5. (Previously Presented) A method according to claim 2 further comprising the steps of:

(a) determining, on the basis of a predetermined criterion, whether actuation of the link has been successful in obtaining the sub-page;

(b) if not, actuating another of the links; and repeating steps (a) and (b) until the first to occur of: all of the links have been actuated; and actuation of a link has been successful in accordance with the predetermined criterion.

6. (Original) A method according to claim 5 wherein the alias displayed is the same for each of the links actuated.

7. (Original) A method according to claim 5 wherein the predetermined criterion is whether, within a predetermined period of time, a predetermined step in a process of establishing connection with a server has been reached.

8. (Original) A method according to claim 7 wherein the predetermined step is completion of a connection with a server.

9. (Previously Presented) A method according to claim 2 further comprising the steps of:

actuating each of the links simultaneously;

on the basis of a predetermined criterion, selecting one of the actuated links, and terminating all of the others.

10. (Original) A method according to claim 9 wherein the predetermined criterion is the greatest progress in establishing full connection with one of the servers after a specified interval of time following simultaneous actuation of all links.

11. (Previously Presented) A method of operating a web server to provide a sub-page of a website to a requesting client, comprising the steps of:

receiving, from a client via a browser, a request for a first web page hosted on the server;

sending to the client, with the first page, a link which points to an address within the Internet of a further server hosting a copy of the sub-page; and

sending with the first web page instructions which are executable upon actuation of the link to cause a browser program to display an alias of the address of the further server, wherein the alias of the address of the further server is different from the address of further server, wherein the alias is an address of the further server which is served to the client, and wherein the alias is displayed by the browser.

12. (Original) A method according to claim 11 wherein a plurality of links are sent to the client with the first page, each pointing to a different predetermined address within the Internet, each predetermined address being an address of a further server hosting a copy of the sub-page, and the instructions are executable upon actuation of each link.

13. (Original) A method according to claim 11, wherein the alias is an address of a server adapted to translate the alias to an address of one of the further servers.

14. (Previously Presented) A method according to claim 12 further comprising the step of sending, in conjunction with the plurality of links, further instructions actuatable upon actuation of one of the links to:

- (a) determine on the basis of a predetermined criterion, whether actuation of the link has been successful in obtaining the sub-page;
 - (b) if not, to actuate another of the links; and
- repeat steps (a) and (b) until the first to occur of: all of the links have been actuated; and actuation of a link has been successful in accordance with the predetermined criterion.

15. (Original) A method according to claim 14 wherein the links are actuated in a predetermined order established prior to dispatch from the web server.

16. (Original) A method according to claim 15 wherein the alias displayed is the same for each of the links actuated.

17. (Original) A method according to claim 15 wherein the predetermined criterion is whether, within a predetermined period of time, a predetermined step in a process of establishing connection with a further server has been reached.

18. (Original) A method according to claim 17 wherein the predetermined step is completion of a connection with a further server.

19. (Previously Presented) A method according to claim 11 further comprising the step of sending, in conjunction with the plurality of links, further instructions, actuatable upon actuation of one of the links to:

actuate each of the links simultaneously;

select, on the basis of a predetermined criterion, one of the actuated links, and terminate all of the others.

20. (Original) A method according to claim 19 wherein the predetermined criterion is the greatest progress in establishing full connection with one of the further servers after a specified interval of time following simultaneous actuation of all links.

21. (Previously Presented) A web server adapted to respond to a request from a client via a browser by sending to the client a copy of a first web page and to include with the first web page a plurality of links each of which points to a different predetermined address within the Internet, each predetermined address being an address of a further server, the web server being adapted to send with the first web page and in response to said request, instructions executable, upon actuation of one of the plurality of links, to instruct a browser program in the client to display an alias of the predetermined address, wherein the alias of each of the predetermined addresses is the same, and wherein the alias is different from any of the predetermined addresses, wherein the alias is an address of a web page of the further server which is served to the client, and wherein the alias is displayed by the browser.

22. (Previously Presented) A method of obtaining a sub-page from a website comprising the steps of:

requesting from a web server a copy of a first web page;

actuating a link on the first web page which points to an address within the Internet of a further server hosting a copy of the sub-page; and

actuating code associated with the link to cause a browser program to display an alias of the address of the further server, wherein the alias corresponds to a first URL that is different from a second URL corresponding to the address of the further server on which the copy of the sub-page is hosted, wherein the alias is an address of a web page of the further server which is served to the client, and wherein the alias is displayed by a browser.

23. (Previously Presented) A method according to claim 2, wherein the sending step comprises:

displaying, based on a random selection, which of the plurality of links is to be actuated when the link on the first web page is selected by a user at the client.

24. (Previously Presented) A method according to claim 23, further comprising:

sending, to a second client, a copy of the first web page with a link which points to the address of another server on which the copy of the sub-page is hosted;

actuating the link sent to the second client; and

displaying, at the second client, a second alias for the address of the another server on which the copy of the sub-page is hosted,

wherein the second alias of the another server is the same as the alias of the server, and

wherein the address of the another server is different from the address of the server.